

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 7808**

**BILL NUMBER:** HB 1814

**DATE PREPARED:** Jan 8, 2001

**BILL AMENDED:**

**SUBJECT:** Sexually Oriented Services.

**FISCAL ANALYST:** Sherry Fontaine

**PHONE NUMBER:** 232-9867

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill limits the operating hours of sexually oriented businesses. The bill prohibits contact between performers and patrons of sexually oriented businesses. The bill makes other changes concerning sexually oriented businesses, escort services, and out-call services. The bill also defines "person" in the criminal code to include a legal entity, regardless of its form.

**Effective Date:** Upon passage; July 1, 2001.

**Explanation of State Expenditures:** This bill also makes it a delinquent act if a child under 18 years of age commits the offenses specified in this bill. Delinquent offenders may be sent to Department of Correction facilities, county juvenile facilities, or may receive probation. The costs of housing offenders in Department of Correction (DOC) facilities is paid equally by the county from which the juvenile was sentenced and the state General Fund.

**Explanation of State Revenues:** This bill establishes Class A misdemeanor penalties for the offenses specified in this bill. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class A misdemeanor is \$5,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

**Explanation of Local Expenditures:** A Class A misdemeanor is punishable by up to one year in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44. Also, a juvenile offender may be sent to a county-operated juvenile detention facility. The costs associated with incarcerating juvenile offenders in these facilities are paid from the county general fund. Also, see Explanation of State Expenditures, above, regarding county costs for housing juvenile offenders in DOC facilities.

**Explanation of Local Revenues:** If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**